

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – November 18, 2004
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-76)*

Members: Henry P. Szymanski *(voting on items 1-76)*
Scott R. Winkler *(voting on items 1-28, 30-76)*
Catherine M. Doyle *(voting on items 1-76)*
Donald Jackson *(voting on items 1-76)*

Alt. Board Members: Georgia M. Cameron *(voting on items)*

START TIME: 2:13 p.m.

End Time: 8:02 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25548 Special Use	The Theological Seminary of the Holy Cross, Old Roman Catholic Brotherhood / Divine Compassion; Prospective Buyer Request to occupy the premises as an emergency residential shelter, religious assembly and social service facility (all would be accessory uses to the proposed seminary on site).	5310 W. North Av. A/K/A 5304 W. North Ave. 10th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26132 Special Use	Paul P. Mueller, Property Owner Request to occupy the premises as a tavern and assembly hall (banquet hall).	818 S. Water St. A/K/A 820 S. Water St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26230 Extension of Time	Liliana E. Gutierrez, Property Owner Request for an extension of time to comply with conditions of case No.25086.	801 W. Linus St. 14th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	26039 Appeal of an Order	Kendall Breunig, Astor, Inc.;Lessee Request to appeal an ordered issued by the Department of Neighborhood Services determining the premises to a rooming house.	718 E. Pearson St. 3rd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	25871 Use Variance	Falls Baptist Church & Baptist College of Ministry, Lessee Request to occupy the premises as a dormitory for 12 individuals (six per unit).	4743-45 N. 77th Ct. 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	26199 Special Use	Gary Swiger, Lessee Request to continue occupying the premises as a sales facility (used cars & trucks).	4209 W. Greenfield Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	26252 Special Use	Bulk Petroleum Corp., Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store.	4209 W. Silver Spring Dr. A/K/A 4201 W. Silver Spring Dr. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>5. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</p> <p>6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>9. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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8	26254 Special Use	Arkadiy Tsirlin, Property Owner Request to add motor vehicle sales to the existing motor vehicle repair facility.	5200 W. Mill Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
9	26204 Dimensional Variance	Kathleen M. Schroeder, Property Owner Request to combine the parcels and construct a single-family residential dwelling without the required number of stories and the minimum required dwelling height.	3172-78 S. 95th St. 11th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land.	
10	26177 Dimensional Variance	James J. Valona, Property Owner Request to continue occupying the premises as a rooming house for 11 persons without the minimum required number of parking spaces.	822 W. Scott St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	26220 Special Use	Lupe Martinez, Property Owner Request to continue occupying the premises as a social service facility.	802 W. Historic Mitchell St. A/K/A 802-04 W. Historic Mitchell St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
12	26244 Dimensional Variance	Jose Zarate, Second Street Properties;Property Owner Request to occupy the premises as an assembly hall without the minimum required number of parking.	607 S. 5th St. 12th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	26162 Dimensional Variance	Amanda Herriges, Property Owner Request to erect a 6ft. fence in the front yard setback of the premises which exceeds the maximum required height.	160 W. Saveland Av. A/K/A 160-62 W. Saveland Ave. 13th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
14	26218 Special Use	Robert R. Tuttle, Lessee Request to occupy the premises as a second-hand store (antique store).	2216 S. Kinnickinnic Av. A/K/A 2216-18 S. Kinnickinnic Ave. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295- 605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That there are no exterior displays of products or merchandise. 7. That the petitioner has no exterior displays of banners or other advertising except signs that are approved and installed under the conditions of a sign permit. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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15	26164 Dimensional Variance	David Fono, Property Owner Request to construct a deck on the premises that extends into the front yard setback.	3307 S. Ellen St. 14th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
16	26200 Special Use	Community Baptist Church of Greater Milwaukee, Other Request to continue occupying the premises as a day care center for 20 children ages infant to 2 yrs of age, using the 1st floor & a portion of the second floor, Monday-Friday 6:00 AM-6:00 PM.	4231 W. North Av. A/K/A 4231-33 W. North Av. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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17	26212 Use Variance	Roosevelt Fisher & Monique Fisher Property Owner Request to increase the hours of operation from Monday-Friday 8:00a.m. - 5:00p.m. and Saturday 8:00a.m. - 2:00p.m. to Monday-Friday 9:00a.m. - 7:00p.m. and Saturday 9:00a.m. - 4:00p.m. to the existing motor vehicle repair and sales facility.	1739 N. 35th St. A/K/A 1739-43 N. 35th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
18	26194 Special Use	Tonja Thomas, Lessee Request to occupy a portion of the premises as a day care center for 70 children infant to 12yrs of age, Monday-Sunday 6:00AM to 6:00PM and a social service facility (GED classes, literary workshops, parenting classes, reading assistance program).	4639 W. Mill Rd. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</p> <p>8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

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19	26239 Special Use	Mary Brown, Lessee Request to continue occupying the premises as a 24 hr day care center for 68 children, infant-12yrs, operating Monday-Friday.	6627 W. Capitol Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</p> <p>5. That the applicant provides transportation for a minimum of 25% of the children attending the child care center.</p> <p>6. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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20	26224 Special Use	Merlin W. Brose, Property Owner Request to continue occupying the premises as a motor vehicle commercial parking lot and general storage in the lower level.	1334 N. Van Buren St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>5. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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21	26208 Special Use	Semen Melikhov, Lessee Request to occupy a portion of the premises as a second-hand store (new and used jewelry store).	275 W. Wisconsin Av. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
22	26211 Special Use	John Groh, Property Owner Request to continue occupying the premises as a parking lot.	316-18 W. State Av. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	26086 Dimensional Variance	Andrea Islas, Property Owner Request to erect a fence on the premises over the maximum height allowed by code.	3778 N. 87th St. 5th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
24	26240 Dimensional Variance	Perry Nagle, Property Owner Request to construct a detached garage on the premises without the minimum required west side setback.	133 E. Garfield Av. 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the petitioner obtains an access easement from the west abutting property owner. 5. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	26178 Special Use	Evonia Bonds, God's Future Scholars; Lessee Request to occupy the premises as a 24 hr. day care center for 60 children (per shift) infant to 12yrs of age, Monday-Sunday. Action: Adjourned Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	2535 W. Center St. 7th Dist.
26	24592 Special Use	Scott Wilder, Property Owner Request to occupy the premises as a community living arrangement for 12 adults. Action: Denied Motion: Henry Szymanski moved to deny this appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	7412 W. Silver Spring Dr. A/K/A 7410-14 W. Silver Spring Dr. 2nd Dist.
27	26085 Special Use	Bell Therapy/Belwood Ltd., Lessee Request to add 12 residents (totaling 40) to the previously board approved community living arrangement. Action: Granted Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 28, 2009. 	5151 W. Silver Spring Dr. 9th Dist.

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28	26176 Special Use	Timothy Taylor, Property Owner Request to occupy the premises as a transitional living facility for 16 clients.	6333 W. Florist Av. 9th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
29	25519 Special Use	Sprint PCS, c/o Jason Funk; Lessee Request to construct an 80 ft. monopole telecommunications tower which exceeds the allowable height by 35 ft.	5618 N. 62nd St. A/K/A 5620 N. 62nd St. 9th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
30	25953 Special Use	Shartavia Adams, Lessee Request to occupy the premises as a 24 hr. day care center for 8 children infant to 12yrs of age Monday-Sunday.	5510 N. 58th St. 9th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny this request. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
31	26159 Dimensional Variance	Double 'E' Automotive Supply Inc. Kar-Kare Service Center; Lessee Request to continue utilizing the premises as a motor vehicle repair facility with an expansion of the service bays on site (internally) without the required landscaping.	6201 W. Blue Mound Rd. A/K/A 6205 W. Blue Mound Rd. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	24611 Special Use	Pat Echols, Property Owner Request to occupy the premises as a community living arrangement for 4 adults.	2766 N. 54th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
33	26028 Special Use	Pearlie M Caston, Lessee Request to occupy the premises as an adult family home for 8 elderly, developmentally disabled adults (4 adults in the upper unit & 4 adults in lower unit).	2971-73 N. 61st St. 10th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, C. Zetely Abstained.	
34	26161 Dimensional Variance	Beverly Koch, Property Owner Request to raze the detached garage and parking drive on the premises eliminating the minimum required off-street parking.	1728 E. Iron St. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	25668 Special Use	Marlene's Touch of Class, Prospective Buyer Request to occupy the premises as a second-hand store.	2929 S. 13th St. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 5. That no interior or exterior window or door grates are used. 6. That the unused driveway is closed and restored with curb and gutter. 7. That the applicant displays no products or merchandise on the exterior of the building. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	26002 Special Use	Anthony James, Lessee Request to occupy the premises as a motor vehicle sales facility.	3230 W. Lisbon Av. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the intent of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>7. That the existing driveway on West Lisbon Avenue be closed and restored with curb and gutter.</p> <p>8. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>10. That there be a maximum of eight (8) vehicles parked on the premises.</p> <p>11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	26139 Special Use	Tree of Life Church, Demetri Berklatner;Property Owner Request to occupy the premises as a religious assembly hall with a 24 hr homeless shelter.	3420 W. Center St. A/K/A 3422 W. Center St. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	26171 Special Use	Latesha L. Robinson, Lessee Request to occupy the premises as group home for 8 girls 12yrs-17yrs of age (from Milwaukee County and children's court).	1122 W. Wright St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn this appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	26182 Use Variance	James E. Moore, A.A.N.A. Real Estate;Property Owner Request to occupy the premises as a transitional living facility for 8 residents.	2837 N. 40th St. 15th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
40	24765 Special Use	Gwendolyn Jackson, Property Owner Request to occupy the premises as a group home for 8 children ages 12yrs-18yrs.	1702 N. 40th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	25949 Special Use	Ms. Brendis Hopson, Lessee Request to occupy the premises as an adult day care center, Monday-Saturday 6:00 AM-6:00 PM (20 clients maximum).	4731 W. North Av. A/K/A 4733 W. North Ave. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That the unused driveway N. 48th Street is closed and restored with curb & gutter.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
42	26077 Special Use	Bridget Howard, Other Request to occupy the premises as a day care facility for 8 children infant to 12yrs of age, Mon.-Sun. 6:00 AM-2:30 PM & 11:00 PM-6:00 AM.	2747 N. 40th St. A/K/A 2745-47 N. 40th St. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	26069 Special Use	Raymond Cooper, Property Owner Request to occupy the premises as a day care center for 16 children infant to 12yrs of age, Mon.-Fri. 6:00a.m.-11:00p.m. and Sat. 8:00a.m.-5:00p.m.	2668-74 N. 38th St. A/K/A 2664-74 N. 38th St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That the windows are restored to clear glass and are maintained in an attractive manner.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>7. That a loading zone is obtained in front of the site.</p> <p>8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</p> <p>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
44	25924 Dimensional Variance	Luz Stella Gill, Property Owner Request to allow a 6 ft. fence around the perimeter of the premises.	5929 N. 40th St. 1st Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	26142 Special Use	Turning Point Ministries, Pastors Sandra Scott & Denise White; Lessee Request to occupy the premises as a social service facility and a religious assembly.	5235 N. 35th St. A/K/A 5235-39 N. 35th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 6. That the petitioner obtains an occupancy certificate and complies with current State commercial code for assembly occupancies. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	25864 Use Variance	OIC-GM, attn. John C. White Jr.; Lessee Request to occupy the premises as a social service facility.	4030 N. 29th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. Specifically that wall signage not exceed 32 square feet per every 25 lineal feet of frontage. 5. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	
47	26070 Special Use	Alma P. Gardner, Property Owner Request to occupy the premises as a community living arrangement for 6 adolescent males ages 12-17.	5086 N. 48th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the facility have a maximum of four (4) clients. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26154 Special Use	Claudett Zollicoffer, Lessee Request to occupy the premises as a day care center for 50 children infant to 12yrs of age, Monday - Friday 6:00 a.m.- 6:00 p.m.	6427 W. Capitol Dr. A/K/A 6435 W. Capitol Dr. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the outdoor play area is increased in area to at least 1,000 square feet and is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. Revised plans must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	26168 Special Use	Lurean L. Nelson Slocum, Property Owner Request to occupy the premises as an adult family home for 4 individuals (ambulatory adults). Action: Granted 1 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	4109 N. 50th St. 2nd Dist.
50	25905 Special Use	Ms. Kendra Terry, Lessee Request to occupy the premises as a 24 hr day care center for 30 children per shift infant to 12yrs of age, Monday-Sunday.	8950-52 W. Appleton Av. A/K/A 8948-52 W. Appleton Ave. 2nd Dist.
		Action: Denied Motion: Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler. Vote: 3 Ayes, 2 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	26143 Special Use	<p>Madeline Thornton, Property Owner</p> <p>Request to increase the hours of operation on Saturday & Sunday from 6:00 AM- 6:00 PM to 6:00 AM - Midnight and continue occupying the premises as a day care center for 100 children per shift infant to 12yrs of age, Monday-Friday 6:00AM-Midnight.</p>	<p>8421 W. Villard Av. 2nd Dist.</p>
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>6. That the play area no be utilized before 10:00 a.m. on Saturday and Sunday.</p> <p>7. That the petitioner provides a twenty-four (24) hour contact number to the Board office and to the Alderman of the district.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	26011 Special Use	Jeff Eaton, Lessee Request to add a contractor's yard and continue occupying the premises as an office, equipment repair (repair personal and business vehicles) and contractor's shop.	7219 W. Fond Du Lac Av. A/K/A 7219-35 W. Fond Du Lac 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.	
53	26037 Special Use	Nelson Foley, Property Owner Request to occupy the premises as a community living arrangement for 5-8 adults with developmental disabilities.	6336 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	25821 Special Use	Cashland Check Cashing Corp., Property Owner Request to continue occupying the premises as a currency exchange.	5500 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 4 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>6. That this Special Use is granted for a period of four (4) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	26073 Special Use	TATA Petroleum Inc., Property Owner Request to add a car wash to the existing motor vehicle filling station, convenience store and restaurant.	1030 E. North Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permit. The revised plan should include buffer screening for the north property line that meets the intent of city code section 295-405 for type 'H' landscaping. 5. That existing landscaping and screening is maintained in accordance with the approved landscape plan. 6. That signage for the car wash must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises. 9. That all car wash activity is conducted inside of the building. 10. That all wastewater is contained on site. 11. That all previous conditions of the Board regarding this property are complied with. 12. That the hours of operation for the car wash hours are between 7am and 9pm. 13. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 14. That revised building plans must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 15. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 18, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	26192 Special Use	Pat & Paul Haislmaier, Property Owner Request to raze the 2 story wood porch on site and construct a 3 story side addition to the existing Board approved office building.	1042 E. Juneau Av. A/K/A 1042 E. Juneau Ave. Unit 1 3rd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
57	26119 Special Use	Jose Rodriguez & Joe Johnson, Lessee Request to occupy the premises as a motor vehicle repair and sales facility.	632 E. Center St. 3rd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. Specifically, wall signage is limited to a maximum total of 25 square feet.</p> <p>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>7. That all repair work is conducted inside of the building.</p> <p>8. That no work or storage of materials occurs in the public right of way.</p> <p>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	26063 Special Use	Betty J. Bush, Property Owner Request to occupy the premises as an adult day care facility. Action: Granted 5 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	1526 N. 28th St. 4th Dist.
59	26110 Special Use	Jacqueline & Neal Singer, Property Owner Request to occupy the premises as a 24 hr day care facility for 8 children per shift, infant to 12yrs of age, Monday-Sunday. Action: Denied Motion: Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3771-73 N. 87th St. 5th Dist.
60	26193 Dimensional Variance	John F. & Marcia R. Koehler, Prospective Buyer Request to construct a single-family residential dwelling without the minimum required building height and minimum number of stories. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land.	4308 N. 100th St. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	26149 Special Use	Bennie Galloway, Other Request to occupy the premises as a day care facility for 8 children infant to 12 yrs. of age, Monday - Friday 7:00 a.m. - 6:00 p.m.	912 W. Nash St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the residential component of the proposed use is maintained. 5. That there is no signage associated with the proposed use. 6. That the outdoor play area is not utilized before 9:00 A.M. 7. That the applicant has no exterior signage. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
62	26172 Special Use	Eboness Briant, Property Owner Request to occupy the premises as a day care center for 20 children infant to 12yrs of age Monday-Friday 6:00 AM-6:00 PM.	3353 N. 17th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	26195 Dimensional Variance	Leonard G. & Melinda Holley Property Owner Request to construct a single-family residential dwelling without the minimum required front facade width, front setback, and without the garage door minimum required setback behind the front facade.	2435 N. 4th St. 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
64	25987 Special Use	Tammy Campbell, Lessee Request to occupy the premises as 24 hr. day care facility for 8 children (per shift) infant to 12yrs of age, Monday-Sunday.	3355 N. 20th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>5. That no signage is permitted.</p> <p>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	26096 Special Use	Rev. Joe Todd, Ephesians Missionary Baptist Church;Property Owner	2418 N. 6th St. 6th Dist.
		Request to occupy a portion of the existing religious assembly hall as a day care center for 72 children infant to 12yrs of age, Monday-Saturday 6:00AM-6:00PM.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>6. That the outdoor play area is separated from the parking area and alley by some type of physical barrier such as bollards.</p> <p>7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	26009 Special Use	Lolita Scott & Carolyn Scott, Property Owner Request to occupy the premises as a shelter care facility for 8 children (girls), 8yrs-17yrs. Action: Granted 3 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	3035 N. 10th St. 6th Dist.
67	26105 Special Use	Sunrise Baptist Church, Prospective Buyer Request to remodel the existing structure and occupy the premises as a religious assembly. Action: Adjourned Motion: Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3725 N. Teutonia Av. A/K/A 3723-25 N. Teutonia Av. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	25943 Special Use	Ibrahim Mahmoud, Prospective Buyer Request to occupy the premises as a motor vehicle repair facility and body shop (sale and installation of auto body and auto accessories).	4344 W. Capitol Dr. 7th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
69	25947 Special Use	Shawna K. Whitehead, Lessee Request to increase the hours of operation of the existing family day care from the current hours of 6:00 am - 10:00 pm to 24 hrs. per day (8 children on site, infant to 12 years of age).	4672 N. 40th St. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 23, 2006. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	25516 Special Use	Inderieet S. Dhillon, Dhillon's Market, Inc.;Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store with the construction of a car wash and Laundromat (with apartments above both) on the site without the code required parking.	551-75 W. Becher St. 14th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
71	25638 Special Use	Maurice Lawrence, Prospective Buyer Request to occupy the premises as a social service facility.	2121 W. North Av. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	23779 Special Use	<p>Repairers of the Breach, Inc. Ms. Mac Canon Brown, Exec. Dir.;Property Owner</p> <p>Request to continue occupying the premises as a social service facility (daytime resource center) with expanded services to include use of the entire building and a medical office.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, panhandling, and loud noise including, but not limited to, hiring private personnel. 5. That the other first floor storefront is retained as a barbershop or other commercial land use. 6. That final plans for the building façade must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The plans must meet the spirit and intent of the rendering submitted to the Board of Zoning Appeals on October 4, 2004 7. That the final plans for the building's interior be submitted to the Board of Zoning Appeals for review by the Zoning Administration Group in order to determine the number of clients that may be accommodated on-site at any one time. At no time should this number exceed 35 clients per floor, or the number permitted by the Building code whichever is less. 8. That the storefront windows are maintained in a neat and orderly manner 9. That the landscaping and screening for the west-abutting sitting area is maintained in a neat and orderly manner 10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 11. That the second and third floor remain vacant until plans for renovations have been submitted to and approved by the Milwaukee Development Center, the renovation are completed according to approved plans and an occupancy certificate has been issued for those floors. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	<p>1335 W. Vliet St. A/K/A 1329-35 W. Vliet St. 4th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	25089 Special Use	Community Loans of America b/d/a Wisconsin Auto Title Loans; Lessee Request to add a payday loan agency to the existing title loan agency. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	3500 W. Capitol Dr. 7th Dist.
74	25060 Special Use	QC Financial Services Inc. Lessee Request to occupy a portion of the premises as a payday loan agency. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	6454 N. 76th St. A/K/A 6406-6540 N. 76th St. 9th Dist.
75	25463 Special Use	First Payday Loan of Wisconsin, LLC Lessee Request to occupy a portion of the premises as a payday loan agency. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	1200 W. Historic Mitchell St. A/K/A 1202-12 W. Historic Mitchell St. 12th Dist.
76	25460 Special Use	First Payday Loans of Wisconsin LLC d/b/a First Payday Loan; Lessee Request to occupy the premises as a payday loan agency. Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	3180 S. 27th St. A/K/A 3178-80 S. 27th St. 13th Dist.

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Szymanski moved to approve the minutes of the October 28, 2004 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for December 9, 2004.

Board member Winkler moved to adjourn the meeting at 8:02 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board